

STATE BOARD OF PROF ENGINEERS & LAND SURVEYORS

Enabling Laws

Act 91 of 2005

Acts of Arkansas No. 214 of 1953 (which amended Acts of Arkansas No. 202 of 1925)

See A.C.A. §17-30-101 et seq.

Acts of Arkansas No. 101 of 1967, as amended. See A.C.A. §17-48-101 et seq.

History and Organization

The Arkansas General Assembly saw the need to regulate the practice of Engineering. They passed Act 202 of 1925 to create the Agency. A Board was established to review the qualifications of individuals to insure they met certain minimum qualifications to be awarded a license to practice engineering in the State of Arkansas. The Board was also given the authority to discipline individuals that provided substandard engineering services to residents of the State. The original Act has been amended numerous times and at present is A.C.A. §17-30-101 et seq.

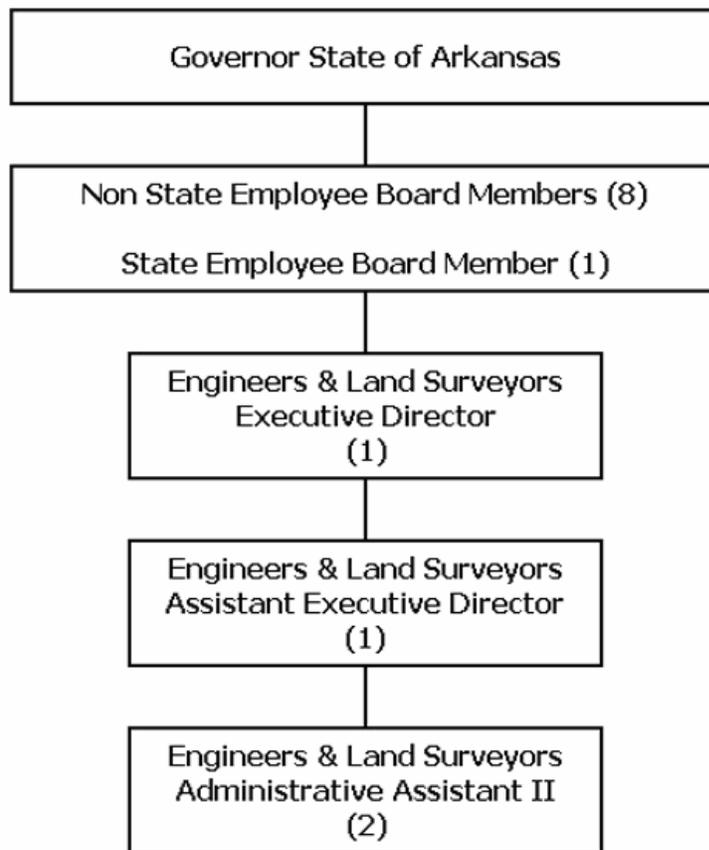
Act 101 of 1967 was passed by the General Assembly which added to the Agency the licensing of Surveyors. The Board reviews the qualifications of individuals to be awarded a license to practice Surveying in the State of Arkansas. The Board was also given the authority to discipline individuals that provide substandard Land Surveying services to residents of the State. The original Act has been amended numerous times and at present is A.C.A. §17-48-101 et seq.

The Agency has never received any money from the State for the operation of the office. All monies used by the Agency for operation, salaries, and etc. are generated from the collection of application fees, examination fees, renewal fees and disciplinary civil penalties.

The Board consists of nine (9) members that are appointed by the Governor. Five (5) members shall be Professional Engineers of at least ten (10) years of active experience, of good standing in their profession, and registered as Professional Engineers at the time of their appointment; One (1) member shall be a Professional Engineer and a Professional Land Surveyor of at least ten (10) years of active experience in both, of good standing in both professions and registered as both a Professional Engineer and Professional Land Surveyor, at the time of their appointment; One (1) member shall be a Professional Land Surveyor of at least ten (10) years active experience, of good standing in their profession, and registered as a Professional Land Surveyor at the time of his appointment; Two (2) members of the Board shall not be actively engaged or retired as a Professional Engineers or a Professional Land Surveyor, One (1) shall represent consumers, and One (1) shall be at least sixty (60) years of age and shall represent elderly consumers. The term of office for each appointment is four (4) years. There is no restriction on the number of times an individual may be appointed.

The Agency is staffed at the present time by four (4) individuals and one (1) extra help position. They are an Executive Director, Assistant Executive Director, and two (2) Administrative Assistant II, (the extra help position is for a Complaints Coordinator/Investigator). The staff is responsible for compiling all information necessary for the Board to make decisions on the licensing of individuals.

Other responsibilities include maintaining records of all renewals, correspondence, and financial records of the Agency.



Agency Commentary

- Stipends in FY07-08 and FY08-09 will increase by \$480 per year beginning in FY07-08 for a replacement for a current state employee whose appointment expires June 30, 2007.
- Increases in the regular operating account for the 1st and 2nd year of the biennium are as follows:

Postage - \$1,600 and \$3,370 because the US Postal Service has already announced a requested increase to \$0.43 for First Class letters.

Buildings and grounds of \$880 and \$1,800 to account for increases in lawn and janitorial services.

Electricity \$360 and \$760 - Entergy has just received an approval of a 9.9% increase and it is anticipated that there will be a similar increase in this budget period.

Board Member travel - \$1,200 and \$2,800 because of anticipated increases in the mileage reimbursement rate.

Education Supplies and Materials - \$1,900 per year beginning in FY07-08 to cover the announced cost of the examination booklets from \$5 to \$10 each plus the cost of hand held calculators of \$33 each for an estimated 500 examinees per year.

- Mileage for staff \$100 and \$300 based upon an increase in reimbursement rate.
- DP Services \$500 and \$1,100 estimated to cover increases in service level support for the Board.

Audit Findings

DIVISION OF LEGISLATIVE AUDIT

AUDIT OF :

ARKANSAS STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS

FOR THE YEAR ENDED JUNE 30, 2004

Findings	Recommendations
None	None

Employment Summary

	Male	Female	Total	%
White Employees	1	1	2	50 %
Black Employees	0	1	1	25 %
Other Racial Minorities	0	1	1	25 %
Total Minorities			2	50 %
Total Employees			4	100 %

Publications

A.C.A 25-1-204

Name	Statutory Authorization	Required for		# Of Copies	Reason (s) for Continued Publication and Distribution
		Governor	General Assembly		
Newsletter	17-30-203 (b)(4)	N	N	10,000	Distributed twice each year to keep registrants apprised of the current changes in their professions as well as proposed rule changes and the results of disciplinary actions taken by the Board.
Rules of Professional Conduct and Roster	17-30-305 (c)	N	N	10,000	To notify every registrant once every biennium of the rules of professional conduct, as provided by 17-30-203.

Agency Position Usage Report

FY2004-2005						FY2005-2006						FY2006-2007					
Authorized in Act	Budgeted			Unbudgeted	% of Authorized Unused	Authorized in Act	Budgeted			Unbudgeted	% of Authorized Unused	Authorized in Act	Budgeted			Unbudgeted	% of Authorized Unused
	Filled	Unfilled	Total	Total			Total	Total	Total	Total			Total				
4	4	0	4	0	0.00%	4	4	0	4	0	0.00%	4	4	0	4	0	0.00%

Analysis of Budget Request

Appropriation: 857 - Lnd Surveyors-Cash in Treasury

Funding Sources: NES - Cash in Treasury

The purpose of the Arkansas State Board of Registration for Professional Engineers & Land Surveyors is to ensure the public, through rules and regulations, that professional engineers or land surveyors will provide competent services to the State's citizens. The Board is authorized to levy fines and penalties on those individuals or firms who provide substandard engineering services or substandard land surveying services to the public. The Board is funded from application, certificate, and renewal fees charged pursuant to Arkansas Code Annotated §17-30-304.

A cost of living increase is not incorporated in Base Level pending the outcome of the Classification and Compensation Study. The Base Level request of \$166,806 for FY08 and \$166,806 for FY09 for Regular Salaries does include board member Stipend payments. FY07 salary levels have been held flat each year for all incumbents. Personal Services Matching may reflect increases in the Base Level due to the Social Security Tax maximum income limit and certain increases in Worker's Compensation and Unemployment Tax rates. Personal Services Matching also includes a \$30 increase in the monthly contribution for State employee's health insurance for a total State match per budgeted employee of \$350 per month.

The Board requests increases in appropriation of \$24,157 in FY08 and \$29,647 in FY09 for Regular Salaries, Personal Services Matching, Operating Expenses, Travel, and Data Processing. The increase for Salaries and Personal Services Matching line items are to cover board member stipends. Increases in the Operating Expenses line item of \$23,040 in FY08 and \$27,730 in FY09, are for increases in postage, lawn and janitorial services, electricity, board member travel, and educational supplies and materials. Increases in the Travel line item of \$100 for FY08 and \$300 for FY09 is requested to cover increases in the mileage reimbursement rate. The Board also requests increases in the Data Processing line item of \$500 for FY08 and \$1,100 for FY09 to cover increases in service support.

The Executive Recommendation provides for the Agency Request, except it denies the Data Processing increase and reduces Base Level Professional Fees \$3,000.

Appropriation

Appropriation: 857 Lnd Surveyors-Cash in Treasury
Funding Sources: NES - Cash in Treasury

Commitment Item	Historical Data			Agency Request and Executive Recommendation					
	2005-2006 Actual	2006-2007 Budget	2006-2007 Authorized	2007-2008			2008-2009		
				Base Level	Agency	Executive	Base Level	Agency	Executive
Regular Salaries 5010000	152,197	166,806	162,966	166,806	167,286	167,286	166,806	167,286	167,286
#Positions	4	4	4	4	4	4	4	4	4
Extra Help 5010001	5,985	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
#Extra Help	1	1	1	1	1	1	1	1	1
Personal Services Matching 5010003	48,155	49,345	50,453	50,866	50,903	50,903	50,866	50,903	50,903
Operating Expenses 5020002	149,857	162,451	162,451	162,451	185,491	185,491	162,451	190,181	190,181
Conference & Travel Expenses 5050009	6,533	7,927	7,927	7,927	8,027	8,027	7,927	8,227	8,227
Professional Fees 5060010	1,465	8,744	8,744	8,744	8,744	5,744	8,744	8,744	5,744
Data Processing 5090012	3,350	7,600	7,600	7,600	8,100	7,600	7,600	8,700	7,600
Capital Outlay 5120011	139,980	0	0	0	0	0	0	0	0
Total	507,522	412,873	410,141	414,394	438,551	435,051	414,394	444,041	439,941
Funding Sources									
Fund Balance 4000005	282,208	318,959		418,086	418,086	418,086	509,535	509,535	512,535
Cash Fund 4000045	544,273	512,000		505,843	530,000	529,500	510,353	540,000	538,900
Total Funding	826,481	830,959		923,929	948,086	947,586	1,019,888	1,049,535	1,051,435
Excess Appropriation/(Funding)	(318,959)	(418,086)		(509,535)	(509,535)	(512,535)	(605,494)	(605,494)	(611,494)
Grand Total	507,522	412,873		414,394	438,551	435,051	414,394	444,041	439,941

The FY07 Budgeted amount in Regular Salaries exceeds authorized amount due to board stipend adjustments during the 2005-07 biennium.
 FY06 Actual exceeds Authorized Appropriation in Capital Outlay due to a transfer from the Cash Fund Holding Account.

Change Level by Appropriation

Appropriation: 857-Lnd Surveyors-Cash in Treasury

Funding Sources: NES - Cash in Treasury

Agency Request

Change Level		2007-2008	Pos	Cumulative	% of BL	2008-2009	Pos	Cumulative	% of BL
BL	Base Level	414,394	4	414,394	100.0	414,394	4	414,394	100.0
C01	Existing Program	24,157	0	438,551	105.8	29,647	0	444,041	107.1

Executive Recommendation

Change Level		2007-2008	Pos	Cumulative	% of BL	2008-2009	Pos	Cumulative	% of BL
BL	Base Level	414,394	4	414,394	100.0	414,394	4	414,394	100.0
C01	Existing Program	23,657	0	438,051	105.7	28,547	0	442,941	106.8
C19	Executive Changes	(3,000)	0	435,051	104.9	(3,000)	0	439,941	106.1

Justification

C01	An increase is requested in salary and related match of \$517 for FY08 and FY09 for board member stipends. An increase in Operating Expense of \$23,040 in FY08 and \$27,730 in FY09 is requested to meet the announced increases for postage, building and grounds maintenance, electricity, mileage, and educational supplies and materials. An increase in Travel of \$100 in FY08 and \$300 in FY09 is requested to cover increases in mileage cost. An increase is requested in Data Processing of \$500 in FY08 and \$1,100 in FY09 for anticipated increases in service levels.
C19	Executive Recommendation decreases Base Level Professional Fees from \$8,744 to \$5,744, or \$3,000.